

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 888 - SB 775**

March 10, 2011

**SUMMARY OF BILL:** Codifies the procedure by which the Tennessee Peace Officers Standards and Training (POST) Commission may issue Tennessee and federal firearm carry certifications to retired law enforcement officers. Requires the retired officer to present to POST identification or a certificate issued by the agency from which the officer retired. Requires the POST certification to be issued by an instructor on the POST Commission's approved list. Requires automatic revocation of a certificate upon the officer's becoming ineligible to carry a firearm under federal law. Requires a retired officer applying for a federal carry permit to submit two full sets of fingerprints to POST, and codifies who may take the fingerprints. Authorizes sheriff's offices, if taking the fingerprints, to charge a maximum \$5 fee. Requires POST to forward the fingerprints to the Tennessee Bureau of Investigation (TBI) for a criminal history record check. Requires the TBI to forward a fingerprint set to the Federal Bureau of Investigation for a federal criminal history check. Creates procedures for denial of a firearm carry permit.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – \$20,900/Peace Officer Standards Training Commission  
\$17,300/TBI**

**Increase State Expenditures - \$20,900/Peace Officer Standards Training Commission  
\$17,300/TBI**

**Increase Local Revenue - \$1,800**

**Assumptions:**

- According to the Department of Commerce and Insurance, Peace Officer Standards Training (POST) Commission, the Commission is not currently collecting fee revenue from retired law enforcement officers for one-year recertifications because the program was suspended for failure to comply with federal certification process standards.
- The POST Commission reestablishes the recertification program for retired law enforcement officers who desire to carry firearms in Tennessee.
- Pursuant to Tenn. Code Ann. § 38-8-116(e), the POST Commission is currently authorized to establish and charge fees sufficient to cover expenditures associated with the recertification program.

- Based on information provided by the POST Commission, there will be approximately 360 applicants per year.
- The POST Commission will charge a \$58 recertification fee.
- The recurring increase in fee revenue to the POST Commission will be \$20,880 (360 applicants x \$58 fee).
- The POST Commission will pay \$48 of the \$58 fee per applicant to TBI for conducting background checks, creating a recurring increase in expenditures for the POST Commission of \$17,280 (360 applicants x \$48 for background checks).
- The POST Commission will utilize the remaining \$10 of the \$58 fee per applicant for materials and supplies necessary to issue certification cards, creating a recurring increase in expenditures for the POST Commission of \$3,600 (360 applicants x \$10 supplies).
- The total recurring increase in POST Commission expenditures will be \$20,880 (\$17,280 + \$3,600).
- TBI will receive \$48 per application from the POST Commission to pay for costs related to conducting background checks. As a result, a recurring increase in revenue to TBI of \$17,280 (\$48 x 360), and a corresponding recurring increase in expenditures of \$17,280 for conducting the background checks.
- Sheriff's offices will charge a \$5 fingerprint fee to each applicant resulting in a recurring increase in local revenue will be \$1,800 (360 applicants x \$5 fingerprint fee).

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

/sbh